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PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 331.1050
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>December 8, 2005</u> . Signature <u>Jan Decker</u> Typed or printed name <u>Jan Decker</u>	In re Application of GERLICH	
	Application Number 10/665,137	Filed 09/18/2003
	For CIRCUITRY CONFIGURATION FOR AN ELECTROMAGNETIC REGENERATION VALVE ACTUABLE BY PULSE-WIDTH MODULATION, FOR VENTING THE TANK OF A MOTOR VEHICLE	
Art Unit 2836		Examiner KITOV
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <div style="text-align: right;">\$ <u>500</u></div> <div><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <div style="text-align: right;">\$ _____</div></div> <div><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</div> <div><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div> <div><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</div> <div><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0552</u>. I have enclosed a duplicate copy of this sheet.</div> <div><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</div> <div>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div> <div>I am the <div><input type="checkbox"/> applicant/inventor.</div><div><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</div><div><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>38,156</u>.</div><div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</div></div> <div style="text-align: right;"><div><u>William C. Gehris</u> Signature William C. Gehris Typed or printed name <u>212-736-1940</u> Telephone number <u>December 8, 2005</u> Date</div></div> <div>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</div>		

<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 331.1050
Date: December 8, 2005

In re application of: **Torsten GERLICH, et al.**

Serial No.: 10/665,137

Filed: September 18, 2003

For: **CIRCUITRY CONFIGURATION FOR AN ELECTROMAGNETIC REGENERATION VALVE
ACTUABLE BY PULSE-WIDTH MODULATION, FOR VENTING THE TANK OF A MOTOR
VEHICLE**

Sir:

Transmitted herewith is a **Notice of Appeal (1 page)** in the above-identified patent application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

- ☒ Also transmitted herewith are:
 - ☒ Petition for extension under 37 C.F.R. 1.136 (in duplicate)
 - ☐ Other:

- ☒ Check(s) in the amount of **\$620.00** is/are attached to cover:
 - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
 - ☒ Petition fee for extension under 37 C.F.R. 1.136
 - ☒ Other: **Appeal Fee**

- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☐ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Mail Stop: AMENDMENT, Commissioner for Patents, Alexandria, VA 22313" on December 8, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY Jan Decker